

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**SCOOT'S SMASHBURGERS INC.,**

**Plaintiff,**

**v.**

**JAY YOUNG, *et al.*,**

**Defendants.**

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**Civil Action No. 7:23-cv-00026-O**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court.

Accordingly, the Court **GRANTS in part and DENIES in part** Defendants' Motion for Attorney's Fees (ECF No. 44) and **ORDERS** Plaintiff to pay Defendants attorney's fees as prevailing parties under the Copyright Act for 25.5 hours of service compensated at a discounted rate of \$490.00 per hour for a total of \$12,495.00.<sup>1</sup>

**SO ORDERED on this 9th day of August, 2024.**

  
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Reed O'Connor  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Because the Court dismissed Counts I, II, III, and V without prejudice, Defendants are not the prevailing party with respect to those claims. Thus, for the reasons explained in the FCR, Defendants are not entitled to \$30,012.50 related to the Lanham Act Claims.